

HOUSE BILL No. 1236

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-34-4.

Synopsis: HPV education. Requires a parent of a grade 6 student to submit a written statement to the student's school that the student has received or is receiving the immunization against human papillomavirus (HPV), that the parent has decided not to have the student immunized, or that the parent chooses not to inform the school of whether the student will be or has been immunized. (Current law requires the statement from a parent of a grade 6 female student.) Requires a school to provide certain information about HPV that is prescribed by the department of health (department) to the parents of all grade 6 students. (Current law requires that the information be given to the parents of grade 6 female students.) Requires a school to file a written report with the department stating the number of students who have received the immunization and the number of students who have not received the immunization. (Under current law, the report relates only to female students.) Requires the department to establish a program to provide information about HPV to parents, health care providers, and other individuals approved to administer the HPV vaccine and to establish goals and plans to increase the vaccination rate for the HPV infection. Requires the department to prepare an annual report concerning the program.

Effective: July 1, 2014.

Errington

January 14, 2014, read first time and referred to Committee on Education.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1236

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-34-4-3, AS AMENDED BY P.L.80-2007,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 3. (a) Each school shall notify each parent of a
4 student who enrolls in the school of the requirement that the student
5 must be immunized and that the immunization is required for the
6 student's continued enrollment, attendance, or residence at the school
7 unless:
8 (1) the parent or student provides the appropriate documentation
9 of immunity;
10 (2) for chicken pox, the parent or student provides a written
11 signed statement that the student has indicated a history of
12 chicken pox; or
13 (3) IC 20-34-3-2 or IC 20-34-3-3 applies.
14 (b) A school that enrolls grade 6 ~~female~~ students shall provide each
15 parent of a ~~female~~ student who is entering grade 6 with information
16 prescribed by the state department of health under subsection (c)



concerning the link between **different types of cancer, including** cervical **and oropharyngeal** cancer, and the human papillomavirus (HPV) infection and that an immunization against the human papillomavirus (HPV) infection is available.

(c) The state department of health shall provide a school described in subsection (b) with the information concerning ~~cervical~~ cancer and the human papillomavirus (HPV) infection required in subsection (b). The information must include the following:

(1) The latest scientific information, **consistent with recommendations by the Centers for Disease Control and Prevention and the United States Preventive Services Task Force**, on the immunization against the human papillomavirus (HPV) infection and the immunization's effectiveness against ~~causes of cervical cancer; associated cancers in men and women.~~

(2) That a pap smear is still critical for the detection of precancerous changes in the cervix to allow for treatment before cervical cancer develops.

(3) Information concerning the means in which the human papillomavirus (HPV) infection is contracted.

(4) Information concerning the prevalence of the human papillomavirus (HPV) infection.

~~(4)~~ (5) A statement that any questions or concerns concerning immunizing the child against human papillomavirus (HPV) could be answered by contacting a health care provider.

SECTION 2. IC 20-34-4-5.5, AS ADDED BY P.L.80-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5.5. (a) Each school that enrolls grade 6 ~~female~~ students shall require the parent of a ~~female~~ student entering grade 6 to furnish, not later than the ~~twenty (20)~~ **twentieth** school ~~days~~ **day** after the first day of school, a written statement prescribed by the state department of health under subsection (b) stating that the parent has received the information required under section 3(b) of this chapter and that:

(1) the student has received or is receiving the immunization;
 (2) the parent has decided not to have the student immunized; or
 (3) the parent chooses not to provide the information to the school concerning whether the student was immunized;

against the human papillomavirus (HPV) infection.

(b) The state department of health shall prescribe the format for the written statement required under subsection (a).

(c) A student may not be prevented from enrolling in, attending, or



1 graduating from school for the sole reason that the student has not
 2 provided the school with the written statement required under this
 3 section.

4 SECTION 3. IC 20-34-4-6, AS AMENDED BY P.L.80-2007,
 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2014]: Sec. 6. (a) Not later than sixty (60) days after the
 7 enrollment of students for the first time and when additional
 8 immunizations are required by statute or rule, each school shall file a
 9 written report with the state department of health and the local health
 10 department having jurisdiction. The report must include the following:

11 (1) A statement of the number of students who have demonstrated
 12 immunity against diphtheria, pertussis (whooping cough), tetanus,
 13 measles, rubella, poliomyelitis, mumps, and hepatitis B.

14 (2) A statement of the number of students who have not
 15 demonstrated immunity against the illnesses listed in subdivision
 16 (1).

17 (3) A statement of the number of students who have been found
 18 positive for sickle cell anemia or lead poisoning.

19 (4) ~~Beginning in the 2008-2009 school year,~~ A statement of the
 20 number of ~~female~~ students in grade 6 who:

21 (A) have or will have; and

22 (B) have not;

23 been immunized against human papillomavirus (HPV) infection
 24 and the number of ~~female~~ students in grade 6 whose parent chose
 25 not to provide the information to the school concerning whether
 26 the student was immunized.

27 (b) The state department of health and the local health department
 28 shall, for good cause shown that there exists a substantial threat to the
 29 health and safety of a student or the school community, be able to
 30 validate immunization reports by onsite reviews or examinations of
 31 nonidentifying immunization record data. This section does not
 32 independently authorize the state department of health, a local
 33 department of health, or an agent of the state department of health or
 34 local department of health to have access to identifying medical or
 35 academic record data of individual students attending nonaccredited
 36 nonpublic schools.

37 (c) A school shall file a report for each student who enrolls after the
 38 filing of the report for students who enrolled at the beginning of the
 39 school year. The state department of health has exclusive power to
 40 adopt rules for the administration of this section.

41 SECTION 4. IC 20-34-4-8 IS ADDED TO THE INDIANA CODE
 42 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2014]: Sec. 8. (a) The state department of health shall establish a program to do the following:

(1) Provide information to:

(A) parents; and

(B) health care providers and other individuals approved to administer the human papillomavirus (HPV) vaccine; about HPV infection and the HPV vaccine.

(2) Establish goals and plans to increase the vaccination rate for the human papillomavirus (HPV) infection. However, the initial goal of the program is to achieve a sixty percent (60%) immunization rate for students in grade 6 by July 1, 2018.

(3) Work with various governmental agencies and private organizations to develop and distribute information regarding human papillomavirus (HPV) infection and the HPV vaccine.

(b) In establishing the program under subsection (a), the state department of health shall seek partnerships to work in cooperation with governmental agencies and private organizations.

(c) Beginning September 1, 2015, the state department of health shall annually prepare a report that provides the following information:

(1) The number of grade 6 students who have:

(A) reported being immunized against human papillomavirus (HPV) infection;

(B) reported not being immunized against human papillomavirus (HPV) infection; and

(C) not provided the information described in clauses (A) and (B).

(2) Recent efforts to educate and inform:

(A) parents; and

(B) health care providers and other individuals approved to administer the human papillomavirus (HPV) vaccine; about HPV infection and the HPV vaccine.

(3) Recent partnerships with other agencies and organizations to accomplish the goals of the program.

(4) Future plans and goals of the program.

(d) The report prepared under subsection (c) must be:

(1) presented annually to the health finance commission; and

(2) submitted to the members of the general assembly in an electronic format under IC 5-14-6.

